



Federal Communications Commission  
Washington, D.C. 20554

November 13, 2002

Ms. Dana J. Puopolo  
2134 Oak Street, Unit C  
Santa Monica, California 90405

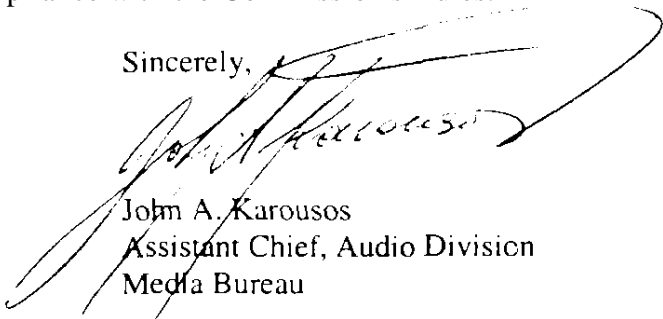
Dear Ms. Puopolo:

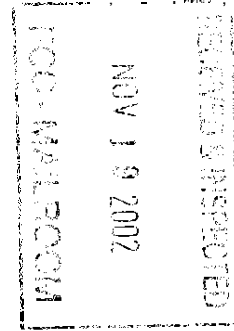
This is in response to the petition for rule making you filed requesting the allotment of Channel 250A at Kernville, California, as the community's second local FM transmission service.

We have reviewed your proposal and find that it is unacceptable for consideration at this time. Your petition acknowledges that at the proposed site (35-45-41 NL and 118-18-00 WL), a site restriction is necessary to avoid short-spacings to the licensed sites of Station KMGV(FM) Channel 250B, Fresno, California, and Station KLAX-FM, Channel 250B, East Los Angeles, California. Our engineering analysis indicates, however, that the proposed site cannot be site restricted to clear these stations without putting the transmitter site within the Sequoia National Forest. Therefore, since the Commission requires a suitable site be proposed at the allotment stage, we cannot entertain your proposal.

For the reason stated above, we are returning your petition for rule making. You may refile your petition if it is in full compliance with the Commission's Rules.

Sincerely,

  
John A. Karousos  
Assistant Chief, Audio Division  
Media Bureau



Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D. C. 20554

AUG 22 2002

In the matter of )  
Amendment of Section 73.202(b)) MM Docket No. \_\_\_\_\_  
Table of Allotments )  
FM Broadcast Stations ) RM- \_\_\_\_\_  
(Kernville, California) )

**PETITION FOR RULEMAKING**

To the Chief, Allocations Branch:

1. Dana J. Puopolo ("petitioner") respectfully requests the Commission initiate a rulemaking proceeding for the purposes of considering amending Section 73.202(b) of the Commission's rules. In support whereof the following is stated.

2. Petitioner proposes the Commission allot FM channel 250A to Kernville, California as its second local FM service. This would require amending Section 73.202(b) of the commission's rules as follows:

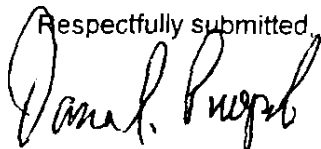
<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Kernville, CA	273A	250A, 273A

3. Kernville is a Census Designated Place located in Southern California. It is located in Kern County. In 1990, the United States Census Bureau estimated Kernville had a population of 1656 persons.

4. FM channel 250A can be assigned to Kernville in full compliance with the Commission's minimum distance separation requirements. This is illustrated in Table A below, which lists stations and assignments within 240 kilometers. Coordinates used are N 35:45:41, W 118:18:00 and are located approximately 11 km east of Kernville. This site restriction is necessary to prevent short spacings with stations KMGV Fresno, CA & KLAX-FM East Los Angeles. CA Petitioner is confident he can find a suitable transmitter site for this allotment if it is assigned as proposed.

5. Petitioner, or an entity with which he is affiliated, intends to apply for a construction permit to activate channel 250A if it is assigned to Kernville as proposed. If his application is granted, he shall promptly construct and operate the proposed station.

6. Petitioner hereby verifies and affirms that the statements given in this petition for rulemaking are his, and are accurate to the best of his knowledge.

Respectfully submitted,  


Dana J. Puopolo  
2134 Oak St., Unit C  
Santa Monica, CA 90405  
August 3, 2002

**TABLE A**

Spacing study for FM channel 250 Kernville, CA

<u>Channel</u>	<u>Station</u>	<u>Location</u>	<u>Actual Spacing(Km)</u>	<u>Required Spacing(KM)</u>
247A	Vacant	McFarland, CA	95	31
247A	Vacant	Coalinga, CA	198	31
2476	KSEQ	Visalia, CA	113	69
2476	KLSX	Los Angeles, CA	172	69
24781	KWQH	San Luis Obispo, CA	218	48
2486	KSSE	Riverside, CA	200	69
2488	KMGQ	Santa Barbara, CA	204	69
249A	KVVS	Mojave, CA	88	72
249A	KRME	Shafter, CA	73	72
249A	PRM	Lone Pine, CA	92	72
2508	KMGV	Fresno, CA	178	178
2506	KLAX-FM	East Los Angeles, CA	178	178
251B	KRXV	Yermo, CA	158	113
2518	KKJG	San Luis Obispo, CA	218	113
252A	KHRN	Huron, CA	173	31
25281	KDAR	Oxnard, CA	183	48
252A	KRTO	West Covina, CA	184	31
25381	KDFO-FM	Delano, CA	74	48

